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NEW JERSEY BOARD OF
CHIROPRACTIC EXAMINERS

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STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF CHIROPRACTIC EXAMINERS

IN THE MATTER OF THE SUSPENSION
OR REVOCATION OF THE LICENSE OF

Administrative Action

ROLAND A. EVANS, D.C.
License No. MC 4389

CONSENT ORDER

TO PRACTICE CHIROPRACTIC
IN THE STATE OF NEW JERSEY

This matter was opened to the New Jersey State Board of Chiropractic Examiners upon receipt of information which the Board has reviewed and the parties wishing to resolve this matter without further formal proceedings, hereby stipulate to the following facts and conclusion of law.

FINDINGS OF FACT

1. Respondent is a chiropractic physician in the State of New Jersey and has been a licensee at all times relevant hereto.
2. On March 11, 2003, Respondent was convicted of the crime of Health Care Claims Fraud in Superior Court in Somerset County, New Jersey. Specifically, Respondent pleaded guilty to one count of health care claims fraud in that between January 1996 and May 2000 he made false statements of material fact in health care claims that his office submitted to insurance carriers for

payment or reimbursement for health care services when such health care services had not been provided, contrary to the provisions of N.J.S.A. 2C:21-4.2 and N.J.S.A. 2C:21-4.3.

CONCLUSIONS OF LAW

1. The above conviction provides grounds for the suspension of Respondent's license to practice chiropractic in New Jersey pursuant to N.J.S.A. 45:1-21(f), in that the crime of which Respondent was convicted is one of moral turpitude and relates adversely to the practice of chiropractic.

ACCORDINGLY, IT IS on this 18th day of September, 2003

ORDERED AND AGREED that:

1. Respondent's license to practice chiropractic in the State of New Jersey be and hereby is suspended for a period of two (2) years; except that the first year shall be an active suspension and the final one (1) year of said suspension shall be stayed and become a period of probation. Such stayed period of suspension shall be activated upon a showing of Respondent's non-compliance with any of the terms and conditions set forth herein.
2. During the period of active suspension, Respondent shall not practice chiropractic and shall successfully complete and pass the ProBE (Professional Problem Based Ethics) course offered by The Ethics Group, 89 Summit Avenue, Suite 185, Summit, New Jersey 07901, or the PRIME (Professional Renewal in Medicine through Ethics) course offered by the Center for Continuing Education in the Health Professions at UMDNJ-Robert Wood Johnson Medical School, 97 Paterson Street, Room 124, New Brunswick, New Jersey 08903. Documentation of the full and successful completion of the course shall be provided to the Board.
3. Respondent shall pay a civil penalty, pursuant to N.J.S.A. 45:1-22 and N.J.S.A. 45:1-25, in the amount of \$5,000.00 for engaging in acts constituting a crime involving moral turpitude and relating adversely to the practice of chiropractic, contrary to N.J.S.A. 45:1-21(f). Payment for the civil

penalties shall be by certified check or money order made payable to the State of New Jersey, and shall be sent to: Kevin B. Earle, Executive Director, Board of Chiropractic Examiners at 124 Halsey Street, Sixth Floor, P.O. Box 45004, Newark, New Jersey 07101 no later than ten (10) days from the entry of this Consent Order. Subsequent violations will subject Respondent to enhanced penalties pursuant to N.J.S.A. 45:1-25.

4. Prior to resuming active practice in New Jersey, Respondent shall be required to appear before the Board (or a committee thereof) to demonstrate fitness to resume practice. Any practice in this State prior to formal reinstatement of license by the Board shall constitute grounds for a charge of unlicensed practice. In addition, the Board reserves the right to place restrictions on Respondent's practice should his license be reinstated.

5. Failure to comply with any provisions of this Order or remit any and all payments required by this Order will also result in the filing of a certificate of debt and may result in subsequent disciplinary proceedings for failure to comply with an Order of the Board.

NEW JERSEY STATE BOARD OF
CHIROPRACTIC EXAMINERS

By Mary-ellen Rada, D.C.
Mary-ellen Rada, D.C.
Board President

I have read and understand the within Consent Order and agree to be bound by its terms. Consent is hereby given to the Board to enter this Order.

Roland A. Evans, D.C.
Roland A. Evans, D.C.

This order is hereby agreed to as to its form and entry.

Jay V. Sargent
Jay V. Sargent, Esq.
Attorney for Roland A. Evans, D.C.